

POLICY MANUAL

State Mental Health, Mental Retardation and Substance Abuse Services Board Department of Mental Health, Mental Retardation and Substance Abuse Services

POLICY 4028(CSB)88-1

- SUBJECT:** Communication with Community Services Boards and their Contract Agencies
- AUTHORITY:** Board Minutes Dated January 27, 1988
Effective Date February 24, 1988
Approved by Board Chairman s/James C. Windsor
- REFERENCES** Sections 37.1-10, Powers and Duties of the Board and 37.1-194 through 202.1, Community Mental Health, Mental Retardation and Substance Abuse Services, Code of Virginia (1950) as amended
- SUPERSEDES:** Policy No. 4011(CSB)83-9
- BACKGROUND:** Community services boards, established pursuant to Section 37.1-195 of the Code, are the agencies of local government responsible for providing local mental health, mental retardation, and substance abuse services. This responsibility and the status of boards as authorities were reaffirmed in 1980 by the Commission on Mental Health and Mental Retardation. Most community services boards operate many of their services directly, but most boards also contract for some services. This is specifically authorized in Section 37.1-197(4) of the Code.
- The traditional position of the Department has been to communicate directly with community services boards. This policy confirms that position.
- Historically, various community services board contract agencies have expressed concerns about not always receiving necessary and applicable Departmental documents and information from the board(s) with which they contract. Also, contract agencies have expressed the need in exceptional circumstances to communicate with the Department when issues cannot be resolved locally between the agency and the community services boards with which it contracts.
- PURPOSE:** To set forth the policy of the State Mental Health, Mental Retardation and Substance Abuse Services Board concerning communication by the Board and the Department with community services boards (CSBs) and contract agencies and between CSBs and contract agencies.

POLICY:

It is the policy of the State Mental Health, Mental Retardation and Substance Abuse Services Board that the Board and the Department will normally communicate directly with community services boards. Whenever the Board or the Department communicates directly with a board-operated or contractual program, the services board will be notified and will receive copies of any correspondence. For purposes of this policy, community services board means the board chairman and/or executive director. In addition, whenever the Board or Department communicates with a state facility or local government about a community services board, the services board will be notified and will receive copies of any correspondence. Conversely, whenever a community services board communicates with local legislators or local governments in regard to the Department or the State Board, the Department or Board will receive copies of any correspondence. All communication regarding fiscal and funding matters, system-wide programmatic, administrative, data collection policies and procedures and CSB evaluation and program licensure will be directed to the community services board.

It is the policy of the State Board that, in exceptional circumstances, a contract agency can communicate directly with the Department, with notification to the community services board. Exceptional circumstances include issues which the contract agency has not been able to resolve with the community services board itself related to compliance with federal and state statutes, regulations and policies, responsibilities and general conditions in the board's performance contract with the Department, local policies, and the contract between the agency and the community services board.

It is the policy of the State Board that whenever contract agencies communicate directly with the State Board or the Department, the applicable community services board(s) will be notified and will receive copies of any correspondence.

It is the policy of the State Board that each community services board must provide to any agency with which it contracts the applicable documents and information received from and sent to the Department which are necessary for the agency to comply with rules, regulations, policies, and procedures promulgated by the State Board, the Department and the community services board. For purposes of this policy, there are two types of contract agencies: prime contractors and POS vendors. Prime contractors provide a program of services to the CSB, usually through a grant or shared cost arrangement involving significant amounts of services and resources. POS vendors provide a specific service or services to the CSB, usually through a purchase of service (POS) arrangement involving limited amounts of resources and services. A vendor of specialized regional or statewide services for designated or low incidence populations and who receives funds clearly identified for this purpose through an administrative "pass-through" arrangement with a CSB is not, for purposes of this policy, a contract agency. The provision of the specific documents and information must be listed as an element of the contract negotiated annually between the services board and prime contractors.

Reference should be made to the Virginia Public Procurement Act and the Department's Financial Management Standards and Accounting Procedures for CSBs Manual for guidance on contracting services. The community services board must provide a contract agency with the specific information and the applicable part of any document that relate to and are necessary for that agency to conduct its business with the CSB. For prime contractors, such information and documents may include:

1. Applicable portions of the Performance Contract and Report packages distributed by the Department;
2. Applicable State Board policies, such as this one, and Departmental documents and procedures such as relevant sections of the Financial Management Standards and Accounting Procedures for CSBs Manual;
3. Applicable sections of Performance Contracts Reports and Comprehensive State Plan updates submitted to the Department related to the programs of the prime contractors;
4. Relevant parts of the community services board's own long-range plan; and
5. Policies, procedures and other documents developed and promulgated by the community services board which affect the prime contractor.